

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MARTEL Z. MORFIN,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Commissioner of Social Security,

Defendant.

No. 2:13-CV-3084-JTR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated Motion for Remand of the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Richard A. Morris represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file, and proposed order,

**IT IS ORDERED:**

1. The parties' Stipulated Motion For Remand, **ECF No. 21**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, this matter will be assigned to a different administrative law judge (ALJ), who will hold a new hearing and issue a new decision. The new ALJ shall: (1) update the treatment evidence on Plaintiff's medical condition; (2)

1 articulate how Plaintiff's subjective complaints have been evaluated; (3) expressly  
2 evaluate the treating, examining, and non-examining medical source opinions in  
3 the updated record and explain the reasons for the weight given to this opinion  
4 evidence; (4) further consider Plaintiff's residual functional capacity on the  
5 updated record, citing specific evidence in support of the assessed limitations;  
6 (5) further consider whether Plaintiff has past relevant work he could perform with  
7 the limitations established by the evidence; and (6) secure supplemental evidence  
8 from a vocational expert to clarify the effect of the assessed limitations on  
9 Plaintiff's occupational base. The ALJ will take any other actions necessary to  
10 develop the record, and Plaintiff may submit additional evidence and present  
11 additional argument to the ALJ on remand.

12 2. Judgment shall be entered for **PLAINTIFF**.

13 3. Plaintiff's Motion for Summary Judgment, **ECF No. 17**, is  
14 **STRICKEN AS MOOT**.

15 4. An application for attorney fees may be filed by separate motion.

16 The District Court Executive is directed to enter this Order, forward copies  
17 to counsel, and **CLOSE THE FILE**.

18 DATED May 23, 2014.



A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE